

## Message Text

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PAGE 01 PARIS 21304 061327Z  
ACTION L-03

INFO OCT-01 EUR-12 EB-08 ISO-00 CAB-02 DOTE-00 ARA-10  
SSO-00 CIAE-00 COME-00 DODE-00 INR-10 NSAE-00  
FAA-00 INRE-00 NSCE-00 /046 W  
-----031327 061333Z /53

O 061111Z JUL 78  
FM AMEMBASSY PARIS  
TO SECSTATE WASHDC IMMEDIATE 4348  
AMEMBASSY LIMA  
AMEMBASSY LONDON  
USMISSION GENEVA

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(CORRECTED COPY--GENEVA ADDED AS INFO ADDRESSEE)

GENEVA FOR ASST SECY KZTZ

LIMA FOR ATWOOD

E.O. 11652: N/A  
TAGS: EAIR, FR  
SUBJ: CIVAIR: PAN AM CHANGE OF GAUGE

REFS: (A) STATE 168610, (B) PARIS 21197

FOLLOWING PRESENTATION OF THE U.S. PROPOSAL ON JULY 5,  
DE SEDOUY ASKED ON JULY 6 TO HAVE IT INFORMALLY IN  
WRITING. WE GAVE HIM THE FOLLOWING INFORMAL PAPER  
BASED ON REFTEL A WITH MINIMUM ESSENTIAL EDITORIAL  
CHANGES.

BEGIN TEXT:

THE SUGGESTED U.S. COMPROMISE REGARDING ARBITRATION OF  
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THE PAN AMERICAN CHANGE OF GAUGE ISSUE IS OUTLINED  
BELOW:

A. WE PROPOSED ARBITRATION ENDING ON SEPTEMBER 15. THE  
FRENCH COUNTER-SUGGESTION ENVISAGED ARBITRATION ENDING  
EARLY JANUARY. WE SUGGEST THAT THE TWO SIDES AGREE TO  
SPLIT THE DIFFERENCE SO THAT THE ARBITRATION WOULD END

AT A MID-POINT BETWEEN THESE TWO DATES.

B. DURING THE PERIOD FROM MAY 3 TO THE END OF ARBITRATION, THE UNITED STATES WOULD ACCEPT BALANCED EQUALITY, WITH PAN AMERICAN PERMITTED TO CHANGE GAUGE FOR HALF THAT PERIOD AND NOT PERMITTED FOR THE OTHER HALF. WE ASSUME THAT FRANCE WOULD BE FLEXIBLE WITH RESPECT TO IMPLEMENTING THIS PRINCIPLE SO LONG AS THE BALANCE IS EQUAL.

C. THE UNITED STATES WOULD BE PREPARED TO ACCEPT THE ADDITIONAL PREAMBULAR LANGUAGE RELATING TO EXHAUSTION OF LOCAL REMEDIES PROVIDED BY THE FRENCH SIDE AT THE CONCLUSION OF THE MEETING IN PARIS LAST WEEK.

D. UPON THE SIGNATURE OF THE ARBITRATION COMPROMIS, THE UNITED STATES CIVIL AERONAUTICS BOARD WOULD WITHDRAW ITS PART 213 ORDER.

E. FRANCE WOULD NOT SEEK TO ARBITRATE PART 213 AT THIS TIME AS IT HAS SUFFERED NO DAMAGE FROM MEASURES TAKEN SO FAR. THE ONLY MEASURE HAS BEEN A REQUIREMENT TO FILE SCHEDULES. THE INCLUSION OF PART 213 WOULD COMPLICATE THE ARBITRATION AND COULD LEAD TO THE INTRODUCTION OF OTHER ISSUES.

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F. IF THE ARBITRAL TRIBUNAL CANNOT ANNOUNCE A DECISION BY THE PROPOSED ENDING DATE (FOR REASONS BEYOND THE CONTROL OF EITHER PARTY), THE PARTIES WOULD AGREE ON INTERIM ARRANGEMENTS BEYOND THAT DATE. IF THEY COULD NOT AGREE, EITHER PARTY MIGHT ASK THE ARBITRAL TRIBUNAL FOR AN IMMEDIATE INTERIM RULING ON SUCH ARRANGEMENTS. THE SAME PROCEDURE WOULD BE FOLLOWED SHOULD THE FRENCH SIDE PREVAIL ON THE EXHAUSTION OF LOCAL REMEDIES ARGUMENT REFERRED TO IN PARAGRAPH C, ABOVE, AND IF THE FRENCH TRIBUNAL HAS NOT RENDERED THE FINAL DECISION IN THE PAN AMERICAN CASE BY THE PROPOSED END OF ARBITRATION.

IT SHOULD BE NOTED THAT THE UNITED STATES CONCESSIONS REFLECTED ABOVE ON SPECIFIC ISSUES ARE DEPENDENT UPON AGREEMENT TO OUR SUGGESTION AS A WHOLE. IF FRANCE IS AGREEABLE TO OUR PROPOSAL, WE SUGGEST THAT A TEAM COME TO WASHINGTON AT THE END OF THIS WEEK OR THE BEGINNING OF NEXT WEEK TO NEGOTIATE AND SIGN A COMPROMIS.

END TEXT.  
HARTMAN

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 jan 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AIRCRAFT, SALES, AIRCRAFT SALES, NEGOTIATIONS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 06 jul 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**TAGS:** EAIR, FR, PANAM  
**To:** STATE LIMA  
**Type:** TE  
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